IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.355 OF 2005

Aditya Puri ...Petitioner.

Versus

The Regional Labour Commissioner (Central) and Anr. ...Respondents.

....

Mr.Satyadev R. Pandey, Advocate for the Petitioner.
Ms.S.V.Gajare, APP, for the State-R.2.

....

CORAM : SMT.V.K.TAHILRAMANI,J.
DATED : AUGUST 16, 2006.

P.C.:

1. Heard the learned Advocate for the petitioner and the learned A.P.P. for the State. None appears for Respondent No.1-original complainant, though served.

2. The petitioner is seeking quashing of process issued by the learned M.M., 13th Court at Dadar, Mumbai in C.C.No.141/SLC/04. In the said case process is issued under Sections 23 and 24 of the Contract Labour (Regulation and Abolition) Act,1970.

3. However, for the reasons recorded in the the case of **V.K.Jain and others Vs. Pratap V. Padode, reported in 2005(3) Mh.L.J.778,** I am of

the opinion that the petitioner has an efficacious remedy of preferring revision against the order of Magistrate issuing process. Hence, in my view, it would be appropriate that the petitioner prefers a revision before the concerned Sessions Court against the order of the Magistrate issuing process.

4. Liberty is granted to the petitioner to prefer the necessary revision before the concerned Sessions Court. The learned advocate for the petitioner makes a statement that the necessary revision will be preferred within five weeks from today. In view of this statement, the trial Court shall not proceed with the trial for a period of five weeks from today.

5. On the necessary revision being preferred by the petitioner before the concerned Sessions Court, the concerned Sessions Court shall condone the delay if any and dispose of the matter on merits after hearing necessary parties.

6. Writ Petition is disposed of.

(SMT.V.K.TAHILRAMANI,J.)